

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. William H. Walls

v. : Criminal No. 11-834 (WHW)

ENRIQUE PENA : Continuance Order

:

This matter having come before the Court on the joint application of Enrique Pena (by Linda Foster, Esq.), and the United States of America by Paul J. Fishman, United States Attorney for the District of New Jersey (Adam N. Subervi, Assistant U.S. Attorney, appearing), for an order granting a continuance of the proceedings in the above-captioned matter for a period of sixty (60) days to continue discovery and plea negotiations, and the defendant being aware that he has the right to have this matter brought to trial within 70 days of the date on which an Indictment is filed against him, pursuant to Title 18 of the United States Code, Section 3161(c)(1), and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to continue discovery and negotiate a plea agreement, which would render any grand jury proceedings and any subsequent trial of this matter unnecessary;

2. Both parties have consented to the aforementioned

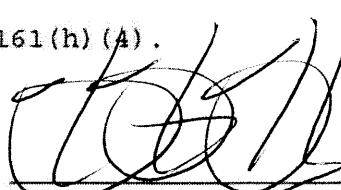
Continuance;

3. Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

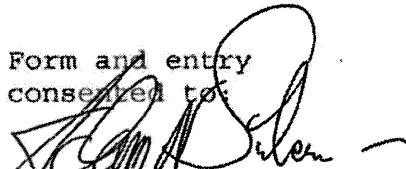
WHEREFORE, on this 16th day of July, 2013.

IT IS ORDERED that the proceedings in the above-captioned matter are continued for sixty days, from July 1, 2013 through and including September 1, 2013 in order to permit the parties to continue discovery and engage in plea negotiations; and

IT IS FURTHER ORDERED that July 1, 2013 through and including September 1, 2013 shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(4).


HONORABLE WILLIAM H. WALLS
United States District Judge

Form and entry
conceded to:


Adam N. Subervi
Assistant U.S. Attorney


Linda Foster, Esq.
Counsel for defendant Enrique Pena